IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICEM.H.S. ANSARI

WRIT PETITION NO : 11990 of 1995

Between:

N.Mallaiah S/o.N.Babaiah
Department of Physics Osmania University College of Science
Osmania University, Hyderabad R/o.1-1-80 Street NO.1, Habsiguda,

Hyderabad.

..... PETITIONER

AND

1. Osmania University represented by its Registrar
   Hyderabad
2. Principal University College of Science
   Osmania University Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction essentially in the nature of writ of mandamus directing the respondents herein to retain and continue the petitioner herein in service as Laboratory Attendant, Department of Physics, Osmania University College of Science, Osmania University, Hyderabad till he attains the age of 60 years and accord all monetary benefits and consequential benefits such as arrears of salaries, seniority and promotion etc.

Counsel for the Petitioner: MR.SUDHENDER KULKARNI (NONE APPEARED)

Counsel for the Respondents: MR.R.NARASIMHA REDDY (SC FOR OSMANIA UNIVERSITY)

The Court made the following:

O R D E R:

Though none appeared on behalf of the petitioner, this Court has gone through the writ petition and connected papers. Learned counsel for the respondent-Osmania University submitted that the writ petition is rendered infructuous. This is for the reason that the petitioner had sought directions to retain and continue him in service as laboratory attendant till he attains the age of 60 years. The grievance of the petitioner was that he was sought to be superannuated at the age of 58 years on 08-06-1995. The notice impugned in the writ petition is dated 02-06-1995, showing his date of retirement as 30-06-1995. The interim relief claimed by the petitioner is for suspension of operation of the said retirement notice, dated 02-06-1995. From the order, dated 19-06-1995, it would appear that interim suspension was granted while directing notice.

Thus, petitioner had the benefit of the relief as prayed for to continue till the age of 60 years. Nothing survives for consideration in the instant writ petition. Same is accordingly directed to be closed for the reasons as noted above.

_____

10-02-2005.

Lrkm.

To

1. The Registrar, Osmania University,
   Hyderabad
2. The Principal, University College of Science
   Osmania University Hyderabad.

3. 2 CD copies.